

# LCCA Fitness to Study Policy 2022-24

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## Introduction

- 1.1 LCCA is a higher education learning environment in which students are treated as mature individuals and are expected to have the capacity to study and live independently alongside people of all ages and a variety of backgrounds. LCCA is also committed to supporting its students to ensure they can succeed and exceed their own expectations. In making this commitment, LCCA recognizes the potentially negative effect of health and wellbeing issues on student learning, academic achievement, and the wider student experience, as well as LCCAs duty under the Equality Act 2010 to make reasonable adjustments where possible, and where appropriate, to provide equal access to learning opportunities for all students.
- 1.2 Fitness to Study refers to the impact of an individual student's health and wellbeing on their capability to participate fully and appropriately in the learning environment at LCCA. This is considering appropriate reasonable adjustments having been put in place. It refers to situations in which a student exhibits unacceptable conduct, or develops an unsatisfactory record of attendance, submission of work or academic performance, that is because of an underlying health or wellbeing issue. The policy describes the process that will be followed in these situations, to consider the needs of the student, to ensure

that support is being provided, and the implications for other students and members of staff before any disciplinary action is taken, unless to delay disciplinary action would represent a serious and immediate risk to the student, and to the LCCA community.

- 1.3 The policy applies to all students registered with LCCA.

## Support Mechanisms

- 2.1 Before invoking this policy, the Course Team should ensure that all relevant support mechanisms available at LCCA have been considered and made available to the student.
- 2.2 LCCA staff should also refer to the Safeguarding and Prevent Policies, as well as the Student Code of Conduct and Student Wellbeing Policies in place. It is envisaged that most situations where a student is experiencing difficulties that are impacting on their ability to succeed can be covered and supported with the policies and support mechanisms outlined above.

## Referrals to Progression and Retention Board

- 3.1 Where it has not been possible for LCCA to address sufficiently the impact of the student's health and wellbeing using the support mechanisms, the Fitness to Study Policy allows staff to refer for the case to be review by the Attendance and Retention Board (ARB). The purpose of ARB review would be for LCCA colleagues with relevant expertise to consider in more detail the needs of the student, the support that is being provided and the implications for other students and members of staff.
- 3.2 The review by ARB can be requested by concerned staff within the Course Team or by an appropriate member of professional services, such as the Student Support Team.
- 3.3 Initially, the student's case will be referred to ARB where relevant members of staff who are involved with the student will be invited to discuss any concerns and decisions with the ARB.
- 3.4 Possible outcomes of the ARB are.
  - i) The student is invited for a further meeting to discuss the next steps such as making a commitment to engage with some or all the support mechanisms on offer:
  - ii) Write to the student to ask them to make an appointment with a named member of staff to discuss ways in which they can resolve current difficulties.
- 3.5 If a student is invited to a meeting, the student will be provided with the meeting details (date/time/location) including the purpose, along with a copy of this Policy. The following additional information will be provided:
  - Who will attend the meeting and their capacity:
  - An explanation that the student can be accompanied by someone in a support capacity (non-legal representative). Disabled students may also be accompanied by an appropriate person i.e., sign language interpreter as appropriate:

- Whether the student will need to provide any documentation:
  - An explanation of confidentiality.
- 3.6 The meeting should be arranged within 10 working days of ARB.
- 3.7 The meeting with the students should cover the following:
- An overview and explanation of the issues of concern (citing specific examples) and any other relevant and additional information:
  - An opportunity for the student to give their perspective and, if appropriate, a history of events, experience and helpful strategies for support and management of any issues:
  - Clarifications of the university regulations/policy:
  - Clarifications of the Students Code of Conduct:
  - Consideration of what would be helpful or make a difference to the student in relation to their support and to minimise any concerns being raised:
  - Signposting to any relevant support services:
  - Clarification of any agreed actions and support options to change and improve the current situation:
  - An explicit clarification of consequences for failing to complete the agreed actions and/or the continuation of the concern:
  - Agreement of any interim monitoring or measures.
- 3.8 The meeting should agree and conclude with a review date from both the student and LCCAs perspective. Minutes will be provided including details of the agreed actions within 5 working days of the meeting and a copy will be kept confidentially in the LCCA Administration Office. This procedure will also follow the review meeting set out in 3.9.
- 3.9 The review meeting should take place on the agreed date and should meet to consider the following:
- How the student has been since the initial meeting:
  - Review whether the agreed actions have been undertaken:
  - Discussion about any further concerns:
  - Consideration of new or ongoing events that may be considered as extenuating:
  - Exploration of further and additional support needed:
  - Agreement of a further action plan where necessary.

## Referrals for Disciplinary Action

- 4.1 Cases referred to under this policy may be referred to for action under the Student Code of Conduct and Disciplinary Policy where.
- i) The student at any time represents an immediate and serious risk to themselves and others within the LCCA community.

- ii) The student's conduct continues to have an adverse effect on the learning and working environment of LCCA, or the health and wellbeing of other staff and students.
- iii) The student fails to provide adequate documentary evidence about their health and wellbeing issues.

4.2 In these cases, the Student Disciplinary Procedure will come into effect.

## Non-Engagement with the Policy

- 5.1 If a student fails to engage with the process, including non-attendance at arranged meetings. The case will be referred to ARB who will discuss and decide on the next steps.
- 5.2 The student will be made aware of the consequences for non-engagement with the policy and process and that it could lead to further disciplinary action.

## Supporting a Return to Study

- 6.1 If, following the Fitness to Study Policy, a student has deferred their studies, LCCA will provide clear guidelines and expectations on the students return to study, including a return due date, mode of attendance and study. This guidance will include consideration for a maximum period of study as defined in the regulations.
- 6.2 The student should have a nominated member of staff who will act as liaison during the deferral period, this contact could include additional support and strategies for engagement.
- 6.3 At the point of return to study, the student will be required to provide evidence that they are well enough to return to study. ARB will be required to confirm this evidence is satisfactory. Precise evidence required will depend on the nature of the students' individual circumstances but should include a report from a recognized health professional with sufficient knowledge about the health and well-being of the student during the deferred period.
- 6.4 The report should detail information about the appropriateness of student health in the context of the proposed return to study, examples of information could include:
  - Consideration of risks associated with chemicals and hazardous materials,
  - Consideration of the demands of field work,
  - Consideration of the demands of group work,
  - How equipped is the student to deliver presentations and meet the assessment requirements?
- 6.5 ARB will confirm the decision of whether the student will be allowed to return to Study. The decision will be communicated to the student before the expected return date, along with details of any additional requirements and arrangements that will be implemented

on their return. ARB will also confirm any ongoing arrangements to regularly review the students' progress.